



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-2204/P1

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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1 **AN ACT**...; relating to: employment and compensation of employees of the board
2 of regents of the University of Wisconsin System; construction and contracting
3 procedures for and gifts of real property to the University of Wisconsin System
4 and granting rule-making authority; University of Wisconsin System
5 personnel and telecommunications services; the University of Wisconsin
6 System segregated fund, tuition limits, annual reports, and requiring a study
7 and an audit; revising appropriations to the University of Wisconsin System
8 and making appropriations.

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -2174/P1 ***

This is a preliminary draft, prepared for the purpose of including the draft's provisions in a budget amendment.

*** ANALYSIS FROM -2191/2 ***

Currently, with limited exceptions, each state agency, including the UW System, must submit for approval of the Building Commission any contract for engineering, design, or construction of, or for the reconstruction, remodeling, or expansion of, a building, structure, or facility if the project cost exceeds \$150,000, and if the project cost exceeds \$500,000, the project must be enumerated in the

Authorized State Building Program, which is set forth by law. Currently, DOA manages all engineering, design, and construction work for state agencies, including the UW System, but DOA may delegate its management authority to an agency for a specific project. If management authority for a project is delegated, the agency to which authority is delegated is subject to the same requirements that apply to DOA if DOA manages the project directly. With limited exceptions, DOA must provide public notice of proposed work and let contracts to the lowest responsible bidder. Plans and specifications for all work on UW projects are subject to approval of DOA. DOA may assess and collect from state agencies, including the UW System, a construction project management fee to cover its costs in managing each project. With limited exceptions, each engineering, design, or construction contract for a state building, structure, or facility is subject to approval of the secretary of administration and, if the contract involves an expenditure of more than \$60,000, the approval of the governor.

This bill deletes DOA's and the governor's responsibility for management of, supervision of, and approval of plans, specifications, and contracts for, any building, structure, or facility to be constructed, reconstructed, remodeled, or expanded for the UW if the project involves a cost of less than \$500,000 and is funded entirely from the proceeds of gifts or grants made to the UW System. The bill also deletes the requirement for approval of the Building Commission on any such project if the cost of the project is less than \$500,000 and the project is funded entirely from the proceeds of gifts or grants made to the UW System. Under the bill, the UW System is not required to adhere to any of the bidding requirements that currently apply to DOA with respect to any such project and is not subject to assessment by DOA for its construction management services.

Currently, the UW System may not accept a gift or grant of real property valued in excess of \$30,000 without approval of the Building Commission.

This bill requires approval of the Building Commission only for a gift or grant of real property valued in excess of \$150,000.

The bill also directs the Board of Regents of the UW System to promulgate, by rule, bidding procedures to be used by the UW System for building projects that are exempted from compliance with the bidding procedures for state building projects prescribed under current law, subject to disapproval by either the Building Commission or the Joint Committee on Finance.

In addition, the bill provides that the authority of DOA to supervise state vehicle fleet management does not preclude the Board of Regents of the UW System from accepting gifts of motor vehicles.

***** ANALYSIS FROM -2193/P3 *****

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

***** ANALYSIS FROM -2194/P3 *****

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

***** ANALYSIS FROM -2202/P1 *****

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 ***-2191/2.1*SECTION 1.** 13.48 (2) (b) 1m. of the statutes is amended to read:

2 13.48 (2) (b) 1m. The University of Wisconsin System may not accept any gift,
3 grant or bequest of real property with a value in excess of ~~\$30,000~~ \$150,000 or any
4 gift, grant or bequest of a building or structure that is constructed for the benefit of
5 the system or any institution thereof without the approval of the building
6 commission.

7 ***-2202/P1.1*SECTION 2.** 13.48 (2) (d) of the statutes is repealed.

8 ***-2191/2.2*SECTION 3.** 13.48 (3) of the statutes is amended to read:

9 13.48 (3) STATE BUILDING TRUST FUND. In the interest of the continuity of the
10 program, the moneys appropriated to the state building trust fund under s. 20.867
11 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys
12 shall be deposited into the state building trust fund. At such times as the building
13 commission directs, or in emergency situations under s. 16.855 (16) (b), the governor
14 shall authorize releases from this fund to become available for projects and shall
15 direct the department of administration to allocate from this fund such amounts as
16 are approved for these projects. In issuing such directions, the building commission
17 shall consider the cash balance in the state building trust fund, the necessity and
18 urgency of the proposed improvement, employment conditions and availability of
19 materials in the locality in which the improvement is to be made. The building
20 commission may authorize any project costing \$500,000 or less in accordance with

SECTION 3

1 priorities to be established by the building commission and may adjust the priorities
2 by deleting, substituting or adding new projects as needed to reflect changing
3 program needs and unforeseen circumstances. The building commission may enter
4 into contracts for the construction of buildings for any state agency, except a project
5 authorized under sub. (10) (c), and shall be responsible for accounting for all funds
6 released to projects. The building commission may designate the department of
7 administration or the agency for which the project is constructed to act as its
8 representative in such accounting.

9 ***-2191/2.3*SECTION 4.** 13.48 (4) of the statutes is amended to read:

10 13.48 (4) STATE AGENCIES TO REPORT PROPOSED PROJECTS. Each Whenever any
11 state agency contemplating contemplates a project under this the state building
12 program it shall report its proposed projects the project to the building commission.
13 The report shall be made on such date and in such manner as the building
14 commission prescribes. This subsection does not apply to projects identified in sub.
15 (10) (c).

16 ***-2191/2.4*SECTION 5.** 13.48 (10) (a) of the statutes is amended to read:

17 13.48 (10) (a) No Except as provided in par. (c), no state board, agency, officer,
18 department, commission or body corporate may enter into a contract for the
19 construction, reconstruction, remodeling of or addition to any building, structure, or
20 facility, in connection with any building project which involves a cost in excess of
21 \$150,000 without completion of final plans and arrangement for supervision of
22 construction and prior approval by the building commission. The building
23 commission may not approve a contract for the construction, reconstruction,
24 renovation or remodeling of or an addition to a state building as defined in s. 44.51
25 (2) unless it determines that s. 44.57 has been complied with or does not apply. This

1 section applies to the department of transportation only in respect to buildings,
2 structures and facilities to be used for administrative or operating functions,
3 including buildings, land and equipment to be used for the motor vehicle emission
4 inspection and maintenance program under s. 110.20.

5 ***-2191/2.5*SECTION 6.** 13.48 (10) (c) of the statutes is created to read:

6 13.48 (10) (c) Paragraph (a) does not apply to any contract for a building project
7 involving a cost of less than \$500,000 to be constructed for the University of
8 Wisconsin System that is funded entirely from the proceeds of gifts and grants made
9 to the system.

10 ***-2191/2.6*SECTION 7.** 13.48 (29) of the statutes is amended to read:

11 13.48 (29) SMALL PROJECTS. Except as otherwise required under s. 16.855
12 (10m), the building commission may prescribe simplified policies and procedures to
13 be used in lieu of the procedures provided in s. 16.855 for any project that does not
14 require prior approval of the building commission under sub. (10) (a), except projects
15 specified in sub. (10) (c).

16 ***-2174/P1.1*SECTION 8.** 16.004 (7) (a) of the statutes is amended to read:

17 16.004 (7) (a) The secretary shall establish and maintain a personnel
18 management information system which shall be used to furnish the governor, the
19 legislature and the office of state employment relations with current information
20 pertaining to authorized positions, payroll and related items for all civil service
21 employees, except employees of the office of the governor, the courts and judicial
22 branch agencies, and the legislature and legislative service agencies. ~~It is the intent~~
23 ~~of the legislature that the University of Wisconsin System provide position and other~~
24 ~~information to the department and the legislature, which includes appropriate data~~
25 ~~on each position, facilitates accountability for each authorized position and traces~~

1 ~~each position over time. Nothing in this paragraph may be interpreted as limiting~~
2 ~~the authority of the board of regents of the University of Wisconsin System to allocate~~
3 ~~and reallocate positions by funding source within the legally authorized levels, and~~
4 ~~the University of Wisconsin System.~~

5 ***-2191/2.7*SECTION 9.** 16.04 (1e) of the statutes is created to read:

6 16.04 (1e) Subsection (1) does not preclude the Board of Regents of the
7 University of Wisconsin System from accepting a gift of a motor vehicle.

8 ***-2174/P1.2*SECTION 10.** 16.417 (2) (f) of the statutes is renumbered 16.417
9 (2) (f) (intro.) and amended to read:

10 16.417 (2) (f) (intro.) This subsection does not apply to ~~an~~ any of the following:

11 1. An individual other than an elective state official who has a full-time
12 appointment for less than 12 months, during any period of time that is not included
13 in the appointment.

14 ***-2174/P1.3*SECTION 11.** 16.417 (2) (f) 2. of the statutes is created to read:

15 16.417 (2) (f) 2. An individual who is employed by the board of regents of the
16 University of Wisconsin System.

17 ***-2202/P1.2*SECTION 12.** 16.50 (1) (a) of the statutes is amended to read:

18 16.50 (1) (a) Each department except the legislature and the courts shall
19 prepare and submit to the secretary an estimate of the amount of money which it
20 proposes to expend, encumber or distribute under any appropriation in ch. 20. The
21 department of administration shall prepare and submit estimates for expenditures
22 from appropriations under ss. 20.855, 20.865, 20.866 and 20.867. The secretary may
23 waive the submission of estimates of other than administrative expenditures from
24 such funds as he or she determines, but the secretary shall not waive submission of
25 estimates for the ~~appropriations~~ appropriation under s. 20.285 (1) (~~im~~) and (n) nor

1 for expenditure of any amount designated as a refund of an expenditure under s.
2 20.001 (5). Estimates shall be prepared in such form, at such times and for such time
3 periods as the secretary requires. Revised and supplemental estimates may be
4 presented at any time under rules promulgated by the secretary.

5 ***-2174/P1.4*SECTION 13.** 16.50 (3) (b) of the statutes is amended to read:

6 16.50 (3) (b) No change in the number of full-time equivalent positions
7 authorized through the biennial budget process or other legislative act may be made
8 without the approval of the joint committee on finance, except for position changes
9 made by the governor under s. 16.505 (1) (c) or (2), by the University of Wisconsin
10 Hospitals and Clinics Board under s. 16.505 (2n), or by the board of regents of the
11 University of Wisconsin System under s. 16.505 (2m) ~~or (2p)~~.

12 ***-2174/P1.5*SECTION 14.** 16.50 (3) (c) of the statutes is amended to read:

13 16.50 (3) (c) The secretary may withhold, in total or in part, the funding for any
14 position, as defined in s. 230.03 (11), as well as the funding for part-time or limited
15 term employees until such time as the secretary determines that the filling of the
16 position or the expending of funds is consistent with s. 16.505 and with the intent of
17 the legislature as established by law or in budget determinations, or the intent of the
18 joint committee on finance in creating or abolishing positions under s. 13.10, the
19 intent of the governor in creating or abolishing positions under s. 16.505 (1) (c) or (2),
20 or the intent of the board of regents of the University of Wisconsin System in creating
21 or abolishing positions under s. 16.505 (2m) ~~or (2p)~~. Until the release of funding
22 occurs, recruitment or certification for the position may not be undertaken.

23 ***-2174/P1.6*SECTION 15.** 16.505 (1) (intro.) of the statutes is amended to read:

1 16.505 (1) (intro.) Except as provided in subs. (2), (2m), and (2n), ~~and (2p)~~, no
2 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
3 created or abolished unless authorized by one of the following:

4 ***-2174/P1.7*SECTION 16.** 16.505 (2m) of the statutes is amended to read:

5 16.505 (2m) The board of regents of the University of Wisconsin System or the
6 chancellor of the University of Wisconsin-Madison may create or abolish a full-time
7 equivalent position or portion thereof ~~from revenues appropriated under s. 20.285~~
8 ~~(1) (gs), (h), (ip), (iz), (j), (ke), (m), (n), or (q) to (w) or (3) (iz) or (n) and may create or~~
9 ~~abolish a full-time equivalent position or portion thereof from revenues~~
10 ~~appropriated under s. 20.285 (1) (im) that are generated from increased enrollment~~
11 ~~and from courses for which the academic fees or tuition charged equals the full cost~~
12 ~~of offering the courses, other than positions funded from the appropriation under s.~~
13 ~~20.285 (1) (a). All positions authorized for the University of Wisconsin shall not be~~
14 ~~included in any state position report.~~ No later than the last day of the month
15 following completion of each calendar quarter, the board of regents shall report to the
16 department and the cochairpersons of the joint committee on finance concerning the
17 number of full-time equivalent positions created or abolished by the board under
18 this subsection during the preceding calendar quarter and the source of funding for
19 each such position.

20 ***-2202/P1.3*SECTION 17.** 16.505 (2m) of the statutes is amended to read:

21 16.505 (2m) The board of regents of the University of Wisconsin System may
22 create or abolish a full-time equivalent position or portion thereof ~~from revenues~~
23 ~~appropriated under s. 20.285 (1) (gs), (h), (ip), (iz), (j), (ke), (m), (n), or (q) to (w) or (3)~~
24 ~~(iz) or (n) and may create or abolish a full-time equivalent position or portion thereof~~
25 ~~from revenues appropriated under s. 20.285 (1) (im) that are generated from~~

1 ~~increased enrollment and from courses for which the academic fees or tuition~~
2 ~~charged equals the full cost of offering the courses. No later than the last day of the~~
3 ~~month following completion of each calendar quarter, the board of regents shall~~
4 ~~report to the department and the cochairpersons of the joint committee on finance~~
5 ~~concerning the number of full-time equivalent positions created or abolished by the~~
6 ~~board under this subsection during the preceding calendar quarter and the source~~
7 ~~of funding for each such position.~~

****NOTE: The above treatment duplicates a provision in RAC's draft. Substantive issues related to the treatment should be addressed in RAC's draft. I have included it in this draft to eliminate the cross references to appropriations that are repealed in this draft.

8 ***-2174/P1.8*SECTION 18.** 16.505 (2p) of the statutes is repealed.

9 ***-2174/P1.9*SECTION 19.** 16.505 (4) (b) of the statutes is amended to read:

10 16.505 (4) (b) ~~Except as provided in par. (e), no~~ No agency may change the
11 funding source for a position authorized under this section unless the position is
12 authorized to be created under a different funding source in accordance with this
13 section.

14 ***-2174/P1.10*SECTION 20.** 16.505 (4) (c) of the statutes is repealed.

15 ***-2174/P1.11*SECTION 21.** 16.705 (1r) (d) of the statutes is amended to read:

16 16.705 (1r) (d) ~~Contractual services purchased by the Board of Regents of the~~
17 ~~University of Wisconsin System with moneys appropriated under s. 20.285 (1) (j),~~
18 ~~(ja), (jm), (u), or (w) or (5) (j).~~

****NOTE: I don't know if this provision needs to be treated. It was treated in the budget bill

19 ***-2202/P1.4*SECTION 22.** 16.705 (1r) (d) of the statutes is amended to read:

stays

1 16.705 (1r) (d) Contractual services purchased by the Board of Regents of the
 2 University of Wisconsin System with moneys appropriated under s. 20.285 (1) (j),
 3 (ja), (jm), (u), or (w) or (5) (j).

****NOTE: ~~Is the above consistent with CMIP's procurement language?~~

Do we need to add references to any new appropriations?

4 *-2174/P1.12*SECTION 23. 16.705 (1r) (e) of the statutes is created to read:

5 16.705 (1r) (e) Contractual services purchased by the University of
 6 Wisconsin-Madison with moneys appropriated under s. 20.285 (1) (u) or (w)

****NOTE: ~~I don't know the cross-references to use~~

Same question as for s. 16.705 (1r) (d)

7 *-2174/P1.13*SECTION 24. 16.71 (1m) of the statutes is amended to read:

8 16.71 (1m) The department shall not delegate to any executive branch agency,
 9 other than the board of regents of the University of Wisconsin System or than the
 10 University of Wisconsin-Madison, the authority to enter into any contract for
 11 materials, supplies, equipment, or contractual services relating to information
 12 technology or telecommunications prior to review and approval of the contract by the
 13 department. No executive branch agency, other than the board of regents of the
 14 University of Wisconsin System or than the University of Wisconsin-Madison, may
 15 enter into any such contract without review and approval of the contract by the
 16 department. Any executive branch agency that enters into a contract relating to
 17 information technology under this section shall comply with the requirements of s.
 18 16.973 (13). Any delegation to the board of regents of the University of Wisconsin
 19 System or to the University of Wisconsin-Madison is subject to the limitations
 20 prescribed in s. ~~36.11 (49)~~ *36.585* ← plain

****NOTE: ~~Will s. 36.11 (49) be the correct cross-reference for the UW-Madison?~~

21 *-2193/P3.1*SECTION 25. 16.71 (1m) of the statutes is amended to read:

1 16.71 (1m) The department shall not delegate to any executive branch agency,
2 other than the board of regents of the University of Wisconsin System, the authority
3 to enter into any contract for materials, supplies, equipment, or contractual services
4 relating to information technology or telecommunications prior to review and
5 approval of the contract by the department. No executive branch agency, other than
6 the board of regents of the University of Wisconsin System, may enter into any such
7 contract without review and approval of the contract by the department. Any
8 executive branch agency that enters into a contract relating to information
9 technology under this section shall comply with the requirements of s. 16.973 (13).
10 Any delegation to the board of regents of the University of Wisconsin System is
11 subject to the limitations prescribed in s. ~~36.11 (49)~~ 36.585.

12 *-2174/P1.14*SECTION 26. 16.71 (4) of the statutes is created to read:

13 16.71 (4) The department shall delegate to the board of regents of the
14 University of Wisconsin System and to the University of Wisconsin-Madison the
15 authority to enter into contracts for materials, supplies, equipment, or services that
16 relate to higher education and that agencies other than the University of
17 Wisconsin-System or the University of Wisconsin-Madison do not commonly
18 purchase.

19 *-2174/P1.15*SECTION 27. 16.72 (8) of the statutes is amended to read:

20 16.72 (8) The department may purchase educational technology materials,
21 supplies, equipment, or contractual services from orders placed with the department
22 by school districts, cooperative educational service agencies, technical college
23 districts, and the board of regents of the University of Wisconsin System, and the
24 University of Wisconsin-Madison.

25 *-2174/P1.16*SECTION 28. 16.73 (5) of the statutes is amended to read:

1 16.73 (5) If the department designates the board of regents of the University
2 of Wisconsin System or designates the University of Wisconsin-Madison as its
3 purchasing agent for any purpose under s. 16.71 (1), the board may enter into a
4 contract to sell any materials, supplies, equipment or contractual services purchased
5 by the board to the University of Wisconsin Hospitals and Clinics Authority, and may
6 contract with the University of Wisconsin Hospitals and Clinics Authority for the
7 joint purchase of any materials, supplies, equipment or contractual services if the
8 sale or purchase is made consistently with that delegation and with this subchapter.

9 ***-2174/P1.17*SECTION 29.** 16.75 (3t) (c) 1. of the statutes is amended to read:

10 16.75 (3t) (c) 1. Forms that must be completed by applicants for admission to
11 an institution of the University of Wisconsin System or the University of
12 Wisconsin-Madison or by students of ~~such an~~ either institution who are applying for
13 financial aid, including loans, or for a special course of study or who are adding or
14 dropping courses, registering or withdrawing, establishing their residence or being
15 identified or classified.

16 ***-2174/P1.18*SECTION 30.** 16.75 (3t) (c) 6. of the statutes is amended to read:

17 16.75 (3t) (c) 6. Forms used to collect data from research subjects in the course
18 of research projects administered by the board of regents of the University of
19 Wisconsin System or by the University of Wisconsin-Madison.

20 ***-2174/P1.19*SECTION 31.** 16.75 (12) (a) 1. of the statutes is amended to read:

21 16.75 (12) (a) 1. "Agency" means the department of administration, the
22 department of corrections, the department of health services, the department of
23 public instruction, the department of veterans affairs, the University of
24 Wisconsin-Madison, and the Board of Regents of the University of Wisconsin
25 System.

1 ***-2174/P1.20*SECTION 32.** 16.78 (1) of the statutes is amended to read:

2 16.78 (1) Every agency other than the board of regents of the University of
3 Wisconsin System, the University of Wisconsin-Madison, or an agency making
4 purchases under s. 16.74 shall make all purchases of materials, supplies, equipment,
5 and contractual services relating to information technology or telecommunications
6 from the department, unless the department requires the agency to purchase the
7 materials, supplies, equipment, or contractual services pursuant to a master
8 contract established under s. 16.972 (2) (h), or grants written authorization to the
9 agency to procure the materials, supplies, equipment, or contractual services under
10 s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual
11 services from another agency or to provide the materials, supplies, equipment, or
12 contractual services to itself. The board of regents of the University of Wisconsin
13 System and the University of Wisconsin-Madison may make purchases of materials,
14 supplies, equipment, and contractual services relating to information technology or
15 telecommunications from the department.

16 ***-2174/P1.21*SECTION 33.** 16.84 (10) of the statutes is amended to read:

17 16.84 (10) Approve the design, structure, composition, location and
18 arrangements made for the care and maintenance of all public monuments,
19 memorials, or works of art which shall be constructed by or become the property of
20 the state by purchase wholly or in part from state funds, or by gift or otherwise. "Work
21 of art" means any painting, portrait, mural decoration, stained glass, statue,
22 bas-relief, ornament, tablets, fountain or any other article or structure of a
23 permanent character intended for decoration or commemoration. This subsection
24 does not apply to public monuments, memorials or works of art which are or will

1 become property of the University of Wisconsin System, the University of
2 Wisconsin-Madison, or the historical society.

3 ***-2174/P1.22*SECTION 34.** 16.847 (1) (b) of the statutes is amended to read:

4 16.847 (1) (b) "State facilities" means all property owned and operated by the
5 state for the purpose of carrying out usual state functions, including the University
6 of Wisconsin-Madison and each institution within the University of Wisconsin
7 System.

8 ***-2174/P1.23*SECTION 35.** 16.848 (2) (b) of the statutes is amended to read:

9 16.848 (2) (b) Subsection (1) does not apply to property under the jurisdiction
10 of the board of regents of the University of Wisconsin System or of the University of
11 Wisconsin-Madison.

12 ***-2191/2.8*SECTION 36.** 16.85 (1) of the statutes is amended to read:

13 16.85 (1) To take charge of and supervise all engineering or architectural
14 services or construction work, as defined in s. 16.87, performed by, or for, the state,
15 or any department, board, institution, commission, or officer of the state, including
16 nonprofit-sharing corporations organized for the purpose of assisting the state in the
17 construction and acquisition of new buildings or improvements and additions to
18 existing buildings as contemplated under ss. 13.488, 36.09, and 36.11, except work
19 to be performed for the University of Wisconsin System with respect to a building,
20 structure, or facility involving a cost of less than \$500,000 that is funded entirely
21 with the proceeds of gifts or grants made to the system, and except the engineering,
22 architectural, and construction work of the department of transportation and the
23 engineering service performed by the department of commerce, department of
24 revenue, public service commission, department of health services, and other
25 departments, boards, and commissions when the service is not related to the

1 maintenance, and construction and planning, of the physical properties of the state.
2 The department may not authorize construction work for any state office facility in
3 the city of Madison after May 11, 1990, unless the department first provides suitable
4 space for a child care center primarily for use by children of state employees.

5 ***-2191/2.9*SECTION 37.** 16.85 (12) of the statutes is amended to read:

6 16.85 (12) To review and approve plans and specifications for any building or
7 structure that is constructed for the benefit of the University of Wisconsin System
8 or any institution thereof, and to periodically review the progress of any such
9 building or structure during construction to assure compliance with the approved
10 plans and specifications. This subsection does not apply to any building, structure,
11 or facility that is constructed, remodeled, repaired, renewed, or expanded for the
12 University of Wisconsin System involving a cost of less than \$500,000 if the project
13 is funded entirely from the proceeds of gifts or grants made to the system.

14 ***-2191/2.10*SECTION 38.** 16.855 (20) of the statutes is amended to read:

15 16.855 (20) This section does not apply to construction work performed by
16 University of Wisconsin System students when the construction work performed is
17 a part of a curriculum and where the work is course-related for the student involved.
18 Prior approval of the building commission must be obtained for all construction
19 projects to be performed by University of Wisconsin System students, except projects
20 specified in s. 13.48 (10) (c).

21 ***-2191/2.11*SECTION 39.** 16.855 (22) of the statutes is amended to read:

22 16.855 (22) The provisions of this section, except sub. (10m), do not apply to
23 construction work for any project that does not require the prior approval of the
24 building commission under s. 13.48 (10) (a) if the project is constructed in accordance
25 with policies and procedures prescribed by the building commission under s. 13.48

1 (29). If the estimated construction cost of any project, other than a project
2 constructed by or for the University of Wisconsin System that is exempted under sub.
3 (23), is at least \$40,000, and the building commission elects to utilize the procedures
4 prescribed under s. 13.48 (29) to construct the project, the department shall provide
5 adequate public notice of the project and the procedures to be utilized to construct
6 the project on a publicly accessible computer site.

7 ***-2191/2.12*SECTION 40.** 16.855 (23) of the statutes is created to read:

8 16.855 (23) Subsections (1) to (10), (13), and (14) do not apply to construction
9 work for any project constructed by or for the University of Wisconsin System
10 involving a cost of less than \$500,000 that is funded entirely with the proceeds of gifts
11 and grants made to the system.

12 ***-2191/2.13*SECTION 41.** 16.87 (5) of the statutes is created to read:

13 16.87 (5) This section does not apply to any project for the University of
14 Wisconsin System involving a cost of less than \$500,000 that is funded entirely from
15 the proceeds of gifts or grants made to the system.

16 ***-2191/2.14*SECTION 42.** 16.89 of the statutes is amended to read:

17 **16.89 Construction and services controlled by this chapter.** No
18 department, independent agency, constitutional office or agent of the state shall
19 employ engineering, architectural or allied services or expend money for
20 construction purposes on behalf of the state, except as provided in this chapter and
21 except that the Board of Regents of the University of Wisconsin System may engage
22 such services for any project involving a cost of less than \$500,000 that is funded
23 entirely from the proceeds of gifts or grants made to the system.

24 ***-2174/P1.24*SECTION 43.** 16.993 (7) of the statutes is amended to read:

1 16.993 (7) Purchase educational technology materials, supplies, equipment,
2 and contractual services for school districts, cooperative educational service
3 agencies, technical college districts, and, the board of regents of the University of
4 Wisconsin System, and the University of Wisconsin-Madison under s. 16.72 (8), and
5 establish standards and specifications for purchases of educational technology
6 hardware and software by school districts, cooperative educational service agencies,
7 technical college districts, and the board of regents of the University of Wisconsin
8 System.

9 ***-2174/P1.25*SECTION 44.** 19.42 (13) (b) of the statutes is amended to read:

10 19.42 (13) (b) The positions of associate and assistant vice presidents of the
11 University of Wisconsin System ~~and vice chancellors identified in s. 20.923 (5).~~

12 ***-2174/P1.26*SECTION 45.** 19.42 (13) (c) of the statutes is amended to read:

13 19.42 (13) (c) All positions identified under s. 20.923 (2), (4), (4g), (6) (f) to (h),
14 (7), and (8) to (10), except clerical positions.

15 ***-2174/P1.27*SECTION 46.** 19.42 (13) (cm) of the statutes is created to read:

16 19.42 (13) (cm) The president and vice presidents of the University of
17 Wisconsin System and the chancellors and vice chancellors of all University of
18 Wisconsin campuses, the University of Wisconsin Colleges, and the University of
19 Wisconsin-Extension.

20 ***-2174/P1.28*SECTION 47.** 19.45 (11) (a) of the statutes is amended to read:

21 19.45 (11) (a) The administrator of the division of merit recruitment and
22 selection in the office of state employment relations shall, with the board's advice,
23 promulgate rules to implement a code of ethics for classified and unclassified state
24 employees except state public officials subject to this subchapter, ~~unclassified~~

1 personnel in the University of Wisconsin System, and officers and employees of the
2 judicial branch.

3 ***-2174/P1.29*SECTION 48.** 19.45 (11) (b) of the statutes is amended to read:

4 19.45 (11) (b) The board of regents of the University of Wisconsin System shall
5 establish a code of ethics for ~~unclassified~~ personnel in that system who are not
6 subject to this subchapter.

7 ***-2202/P1.5*SECTION 49.** 20.285 (intro.) of the statutes is amended to read:

8 **20.285 University of Wisconsin System.** (intro.) There is appropriated to
9 the board of regents of the University of Wisconsin System for the following ~~program~~
10 programs:

11 ***-2202/P1.60*SECTION 50.** 20.285 (1) (Lm) of the statutes is repealed.

12 ***-2202/P1.61*SECTION 51.** 20.285 (1) (Ls) of the statutes is repealed.

13 ***-2202/P1.6*SECTION 52.** 20.285 (1) (a) of the statutes is amended to read:

14 20.285 (1) (a) *General program operations.* The amounts in the schedule for
15 the purpose of educational programs and related programs. ~~Any transfers between~~
16 ~~the instruction, research, public service, libraries, learning resources and media,~~
17 ~~farm operations, student services, auxiliary enterprises, physical plant or general~~
18 ~~operations and services subprograms shall be reported quarterly to the department~~
19 ~~of administration.~~ The board of regents may not encumber amounts appropriated
20 under this paragraph for groundwater research without the approval of the
21 secretary of administration.

****NOTE: We did not affect the last sentence of s. 20.285 (1) (a). If you decide to delete it, we should also repeal s. 160.50 (1m), which requires the groundwater coordinating council to advise the secretary of administration with respect to the last sentence.

22 ***-2202/P1.7*SECTION 53.** 20.285 (1) (ab) of the statutes is repealed.

23 ***-2202/P1.8*SECTION 54.** 20.285 (1) (am) of the statutes is repealed.

1 ***-2202/P1.9*SECTION 55.** 20.285 (1) (as) of the statutes is repealed.

2 ***-2202/P1.10*SECTION 56.** 20.285 (1) (b) of the statutes is repealed.

3 ***-2202/P1.11*SECTION 57.** 20.285 (1) (bm) of the statutes is repealed.

4 ***-2202/P1.12*SECTION 58.** 20.285 (1) (c) of the statutes is repealed.

5 ***-2202/P1.13*SECTION 59.** 20.285 (1) (cd) of the statutes is repealed.

6 ***-2202/P1.14*SECTION 60.** 20.285 (1) (cm) of the statutes is repealed.

7 ***-2202/P1.15*SECTION 61.** 20.285 (1) (d) of the statutes is amended to read:

8 20.285 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse
9 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
10 the acquisition, construction, development, enlargement, or improvement of
11 university academic facilities and to make payments under an agreement or
12 ancillary arrangement entered into under s. 18.06 (8) (a).

 ****NOTE: Is it okay to strike "academic"?

13 ***-2202/P1.16*SECTION 62.** 20.285 (1) (da) of the statutes is repealed.

14 ***-2202/P1.17*SECTION 63.** 20.285 (1) (db) of the statutes is repealed.

15 ***-2202/P1.18*SECTION 64.** 20.285 (1) (eb) of the statutes is repealed.

 ****NOTE: Section 20.285 (1) (eg) is repealed effective June 30, 2011 by 2009
Wisconsin Act 265. That act also repeals effective that date s. 36.25 (54), which refers to
s. 20.285 (1) (eg).

16 ***-2202/P1.19*SECTION 65.** 20.285 (1) (em) of the statutes is repealed.

17 ***-2202/P1.20*SECTION 66.** 20.285 (1) (eo) of the statutes is repealed.

18 ***-2202/P1.21*SECTION 67.** 20.285 (1) (ep) of the statutes is repealed.

19 ***-2202/P1.22*SECTION 68.** 20.285 (1) (er) of the statutes is repealed.

20 ***-2202/P1.23*SECTION 69.** 20.285 (1) (fc) of the statutes is repealed.

 ****NOTE: Section 20.285 (1) (fd) and (fj) are retained, as they deal with the state
laboratory of hygiene and the veterinary diagnostic laboratory.

21 ***-2202/P1.24*SECTION 70.** 20.285 (1) (fm) of the statutes is repealed.

1 ***-2202/P1.25*SECTION 71.** 20.285 (1) (fs) of the statutes is repealed.

2 ***-2202/P1.26*SECTION 72.** 20.285 (1) (ft) of the statutes is repealed.

3 ***-2202/P1.27*SECTION 73.** 20.285 (1) (fx) of the statutes is repealed.

4 ***-2202/P1.28*SECTION 74.** 20.285 (1) (g) of the statutes is repealed.

5 ***-2202/P1.29*SECTION 75.** 20.285 (1) (gm) of the statutes is repealed.

6 ***-2202/P1.30*SECTION 76.** 20.285 (1) (gn) of the statutes is repealed.

7 ***-2202/P1.31*SECTION 77.** 20.285 (1) (gr) of the statutes is repealed.

8 ***-2202/P1.32*SECTION 78.** 20.285 (1) (gs) of the statutes is repealed.

9 ***-2202/P1.33*SECTION 79.** 20.285 (1) (h) of the statutes is repealed.

10 ***-2202/P1.34*SECTION 80.** 20.285 (1) (ha) of the statutes is repealed.

11 ***-2202/P1.35*SECTION 81.** 20.285 (1) (hm) of the statutes is repealed.

 ****NOTE: Section 20.285 (1) (i) and (ia) are retained, as they deal with the state laboratory of hygiene.

12 ***-2202/P1.36*SECTION 82.** 20.285 (1) (im) of the statutes is repealed.

13 ***-2202/P1.37*SECTION 83.** 20.285 (1) (in) of the statutes is repealed.

14 ***-2202/P1.38*SECTION 84.** 20.285 (1) (ip) of the statutes is repealed.

15 ***-2202/P1.39*SECTION 85.** 20.285 (1) (iz) of the statutes is repealed.

 ****NOTE: The last sentence of s. 20.285 (1) (iz) requires the Board of Regents to annually transfer \$27,500,000 from s. 20.285 (1) (iz) to the medical assistance trust fund in fiscal years 2011-12 and 2012-13. That transfer is repealed. See also the repeal of s. 25.77 (8), which specifies that the medical assistance trust fund includes the transfers. Is that okay?

16 ***-2202/P1.40*SECTION 86.** 20.285 (1) (j) of the statutes is repealed.

17 ***-2202/P1.41*SECTION 87.** 20.285 (1) (ja) of the statutes is repealed.

18 ***-2202/P1.42*SECTION 88.** 20.285 (1) (jc) of the statutes is repealed.

 ****NOTE: Section 20.285 (1) (je) is retained, as it deals with the veterinary diagnostic laboratory.

19 ***-2202/P1.43*SECTION 89.** 20.285 (1) (jm) of the statutes is repealed.

20 ***-2202/P1.44*SECTION 90.** 20.285 (1) (jp) of the statutes is repealed.

1 ***-2202/P1.45*SECTION 91.** 20.285 (1) (jq) of the statutes is repealed.

2 ***-2202/P1.46*SECTION 92.** 20.285 (1) (k) of the statutes is repealed.

3 ***-2202/P1.47*SECTION 93.** 20.285 (1) (ka) of the statutes is repealed.

4 ***-2202/P1.48*SECTION 94.** 20.285 (1) (kb) of the statutes is repealed.

5 ***-2202/P1.49*SECTION 95.** 20.285 (1) (kc) of the statutes is repealed.

6 ***-2202/P1.50*SECTION 96.** 20.285 (1) (kd) of the statutes is repealed.

7 ***-2202/P1.51*SECTION 97.** 20.285 (1) (ke) of the statutes is repealed.

8 ***-2202/P1.52*SECTION 98.** 20.285 (1) (kf) of the statutes is repealed.

 ***NOTE: Section 20.285 (1) (kg) is retained, as it deals with the veterinary
diagnostic laboratory.

9 ***-2202/P1.53*SECTION 99.** 20.285 (1) (kj) of the statutes is repealed.

10 ***-2202/P1.54*SECTION 100.** 20.285 (1) (km) of the statutes is repealed.

11 ***-2202/P1.55*SECTION 101.** 20.285 (1) (kn) of the statutes is repealed.

12 ***-2202/P1.56*SECTION 102.** 20.285 (1) (ko) of the statutes is repealed.

13 ***-2202/P1.57*SECTION 103.** 20.285 (1) (kp) of the statutes is repealed.

14 ***-2202/P1.58*SECTION 104.** 20.285 (1) (kr) of the statutes is repealed.

15 ***-2202/P1.59*SECTION 105.** 20.285 (1) (ks) of the statutes is repealed.

16 ***-2202/P1.62*SECTION 106.** 20.285 (1) (xq) of the statutes is created to read:

17 20.285 (1) (xq) *General program operations.* From the University of Wisconsin
18 System fund, all moneys received from the operation of educational programs and
19 related programs to carry out the purposes for which received.

20 ***-2202/P1.63*SECTION 107.** 20.285 (1) (xr) of the statutes is created to read:

21 20.285 (1) (xr) *Gifts and donations.* From the University of Wisconsin System
22 fund, all moneys received as gifts, grants, bequests, or devises to carry out the
23 purposes for which received.

1 ***-2202/P1.64*SECTION 108.** 20.285 (1) (xs) of the statutes is created to read:

2 20.285 (1) (xs) *Self-amortizing facilities principal and interest.* From the
3 University of Wisconsin System fund, a sum sufficient to reimburse s. 20.866 (1) (u)
4 for any amounts advanced to meet principal and interest costs on self-amortizing
5 university facilities and to make payments under an agreement or ancillary
6 arrangement entered into under s. 18.06 (8) (a).

 ****NOTE: The above language is based on some, but not all, of the language in s.
20.285 (1) (db). Is it okay, or should other language from s. 20.285 (1) (db) be incorporated
into s. 20.285 (1) (xs)?

 ****NOTE: Per RAC, add x-ref to above in all statutes that refer to s. 20.285 (1) (d).
Why s. 20.285 (1) (d) and not (db)?

7 ***-2202/P1.65*SECTION 109.** 20.285 (1) (xt) of the statutes is created to read:

8 20.285 (1) (xt) *Funds transferred from other state agencies.* From the
9 University of Wisconsin System fund, all moneys received from other state agencies
10 to carry out the purposes for which received.

11 ***-2202/P1.66*SECTION 110.** 20.285 (2) (a) of the statutes is repealed.

12 ***-2202/P1.67*SECTION 111.** 20.285 (2) (b) of the statutes is repealed.

13 ***-2202/P1.68*SECTION 112.** 20.285 (2) (j) of the statutes is amended to read:

14 20.285 (2) (j) Notwithstanding s. 20.001 (2) (c), annually, there shall lapse from
15 the appropriation accounts under ss. 20.285 (1) (a), ~~(h), and (j)~~ (xq), and (xr) an
16 amount equal to the amount spent during that fiscal year from the appropriation
17 account under s. 20.455 (1) (b) for legal advice regarding public broadcasting by the
18 University of Wisconsin System, as determined by the secretary of administration.

19 ***-2202/P1.69*SECTION 113.** 20.285 (3) (iz) of the statutes is repealed.

 ****NOTE: The amendment does not repeal s. 20.285 (3) (a). Note that s. 36.11
(23m), which the amendment does not affect, requires the Board of Regents to designate
2 positions funded from s. 20.285 (3) (a) to coordinated compliance with state and federal
environmental laws. Is that okay?

****NOTE: The amendment does not repeal is 20.285 (3) (n), which is a federal appropriation.

1 ***-2202/P1.70*SECTION 114.** 20.285 (4) of the statutes is repealed.

2 ***-2202/P1.71*SECTION 115.** 20.285 (5) of the statutes is repealed.

3 ***-2202/P1.72*SECTION 116.** 20.285 (6) of the statutes is repealed.

4 ***-2202/P1.73*SECTION 117.** 20.370 (1) (mu) of the statutes is amended to read:

5 20.370 (1) (mu) *General program operations — state funds.* The amounts in
6 the schedule for general program operations that do not relate to the management
7 and protection of the state's fishery resources and that are conducted under ss. 23.09
8 to 23.11, 27.01, 30.203, 30.277, and 90.21, and chs. 29 and 169, for the endangered
9 resources program, as defined under s. 71.10 (5) (a) 2., and for transfers payments
10 of \$53,700 in each fiscal year to the appropriation account under s. 20.285 (1) (kf)
11 University of Wisconsin System board of regents for outdoor skills training under s.
12 29.598.

****NOTE: The schedule entry for s. 20.285 (1) (kf) in 2011 AB-40 specifies \$53,700 for FY 11-12 and \$53,700 for FY 12-13. Because s. 20.285 (1) (kf) is repealed by this amendment, those amounts must be set forth in s. 20.370 (1) (mu).

13 ***-2202/P1.74*SECTION 118.** 20.370 (4) (mu) of the statutes is amended to read:

14 20.370 (4) (mu) *General program operations — state funds.* The amounts in
15 the schedule for general program operations that relate to the management and
16 protection of the state's fishery resources and that are conducted under ss. 23.09 to
17 23.11, 30.203 and 30.277 and ch. 29 and for transfers payments of \$51,900 in each
18 fiscal year to the appropriation account under s. 20.285 (1) (kb) University of
19 Wisconsin System board of regents for studies of Great Lakes fish.

****NOTE: The schedule entry for s. 20.285 (1) (kb) in 2011 AB-40 specifies \$51,900 for FY 11-12 and \$51,900 for FY 12-13. Because s. 20.285 (1) (kb) is repealed by this amendment, those amounts must be set forth in s. 20.370 (4) (mu).

1 ***-2202/P1.75*SECTION 119.** 20.505 (8) (hm) (intro.) of the statutes is amended
2 to read:

3 20.505 (8) (hm) *Indian gaming receipts.* (intro.) All moneys required to be
4 credited to this appropriation under s. 569.06, all moneys transferred under 2001
5 Wisconsin Act 16, sections 9201 (5mk), 9205 (1mk), 9210 (3mk), 9223 (5mk), 9224
6 (1mk), 9225 (1mk), 9231 (1mk), 9237 (4mk), 9240 (1mk), 9251 (1mk), 9256 (1mk),
7 9257 (2mk), and 9258 (2mk), and all moneys that revert to this appropriation account
8 from the appropriation accounts specified in subds. ~~1e.~~ 1f. to 19., 22., and 23., less the
9 amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of
10 annually transferring the following amounts:

11 ***-2202/P1.76*SECTION 120.** 20.505 (8) (hm) 1c. of the statutes is repealed.

 ****NOTE: Section 20.505 (8) (hm) 1c. refers to amounts transferred to s. 20.285 (1)
(km), which is repealed.

12 ***-2202/P1.77*SECTION 121.** 20.505 (8) (hm) 6r. of the statutes is repealed.

 ****NOTE: Section 20.505 (8) (hm) 6r. refers to amounts transferred to s. 20.285 (1)
(ks), which is repealed.

13 ***-2202/P1.78*SECTION 122.** 20.505 (8) (hm) 11a. of the statutes is repealed.

 ****NOTE: Section 20.505 (8) (hm) 11a. refers to amounts transferred to s. 20.285
(1) (kn), which is repealed.

14 ***-2202/P1.79*SECTION 123.** 20.505 (8) (hm) 25. of the statutes is amended to
15 read:

16 20.505 (8) (hm) 25. The amount transferred to s. 20.435 (2) (km) shall be
17 \$250,000 or the amount remaining in this appropriation after all other transfers
18 under subds. ~~1e.~~ 1f. to 24. are made, whichever is less. No money may be transferred
19 under this subdivision after June 30, 2011.

20 ***-2194/P3.1*SECTION 124.** 20.855 (7) of the statutes is created to read:

20.855 (7) SPECIAL TASK FORCE ON UW RESTRUCTURING AND OPERATIONAL FLEXIBILITIES. (a) *Expenses*. The amounts in the schedule for expenses of the Special Task Force on UW restructuring and operational flexibilities under 2011 Wisconsin Act (this act), section 9152 (5). No moneys may be encumbered from this appropriation after June 30, 2012.

~~*-2174/P1.30*~~ SECTION 125. 20.865 (intro.) of the statutes is amended to read:

20.865 Program supplements. (intro.) There is appropriated to the various state agencies from the respective funds and accounts from which their appropriations are financed, the amounts provided in this section as approved by the department of administration under ss. 16.50 and 20.928, but only after the amounts included in the respective program appropriations for the purposes specified in this section have been exhausted. Every expenditure under this section for purposes normally financed by a program revenue appropriation or segregated revenue appropriation from program receipts shall be charged to the appropriate account, but if there are insufficient moneys available in that account, the expenditure shall be charged to the fund from which the appropriation is made. Those general fund expenditures paid from general purpose revenues for purposes financed by program revenues shall be separately accounted for and the general fund, except as otherwise provided in sub. (2) (d), (j) and (t) ~~and ss. 20.285 (1) (g) and 36.52~~ shall be reimbursed for those expenditures as soon as moneys become available in the appropriate account.

Annotations: "Strike" with arrows pointing to "and ss. 20.285 (1) (g) and 36.52"; "plain comma" with an arrow pointing to the comma after "and ss. 20.285 (1) (g) and 36.52".

~~*-2202/P1.80*~~ SECTION 126. 20.865 (intro.) of the statutes is amended to read:

20.865 Program supplements. (intro.) There is appropriated to the various state agencies from the respective funds and accounts from which their appropriations are financed, the amounts provided in this section as approved by the

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department of administration under ss. 16.50 and 20.928, but only after the amounts included in the respective program appropriations for the purposes specified in this section have been exhausted. Every expenditure under this section for purposes normally financed by a program revenue appropriation or segregated revenue appropriation from program receipts shall be charged to the appropriate account, but if there are insufficient moneys available in that account, the expenditure shall be charged to the fund from which the appropriation is made. Those general fund expenditures paid from general purpose revenues for purposes financed by program revenues shall be separately accounted for and the general fund, except as otherwise provided in sub. (2) (d), (j) and (t) and ss. ~~20.285 (1) (g)~~ and s. 36.52, shall be reimbursed for those expenditures as soon as moneys become available in the appropriate account.

***-2174/P1.31*SECTION 127.** 20.865 (1) (c) of the statutes is amended to read:

20.865 (1) (c) *Compensation and related adjustments.* A sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the legislature under s. 111.92 for represented employees and by the joint committee on employment relations under s. 230.12 and by the legislature, when required, for nonrepresented employees in the classified service and comparable adjustments for nonrepresented employees in the unclassified service, except those nonrepresented employees specified in ss. 20.923 (4g), (5) and (6) (c) and ~~(m) and 230.08 (2) (d) and (f), as determined under s. 20.928,~~ other than adjustments funded under par. (ej). Unclassified employees included under s. 20.923 (2) need not be paid comparable adjustments.

***-2174/P1.32*SECTION 128.** 20.865 (1) (ci) of the statutes is repealed.

***-2174/P1.33*SECTION 129.** 20.865 (1) (cj) of the statutes is repealed.

1 ***-2174/P1.34*SECTION 130.** 20.865 (1) (cm) of the statutes is repealed.

2 ***-2174/P1.35*SECTION 131.** 20.865 (1) (d) of the statutes is amended to read:

3 20.865 (1) (d) *Employer fringe benefit costs.* A sum sufficient to pay the cost of
4 state employer contributions for state employee fringe benefits under chs. 40 and 108
5 and s. 66.191, 1981 stats., and s. 303.21 as determined under s. 20.928, but not
6 including any such costs of the board of regents of the University of Wisconsin
7 System or the University of Wisconsin-Madison.

8 ***-2174/P1.36*SECTION 132.** 20.865 (1) (i) of the statutes is amended to read:

9 20.865 (1) (i) *Compensation and related adjustments; program revenues.* From
10 the appropriate program revenue and program revenue-service accounts, a sum
11 sufficient to supplement the appropriations to state agencies for the cost of
12 compensation and related adjustments approved by the legislature under s. 111.92
13 for represented employees and by the joint committee on employment relations
14 under s. 230.12 and the legislature, when required for nonrepresented employees in
15 the classified service and comparable adjustments for nonrepresented employees in
16 the unclassified service, except those nonrepresented employees specified in ss.
17 20.923 (4g), ~~(5) and (6) (c) and (m)~~ and 230.08 (2) ~~(d) and (f)~~, as determined under s.
18 20.928, ~~other than adjustments funded under par. (ej).~~ Unclassified employees
19 included under s. 20.923 (2) need not be paid comparable adjustments.

20 ***-2174/P1.37*SECTION 133.** 20.865 (1) (ic) of the statutes is repealed.

21 ***-2174/P1.38*SECTION 134.** 20.865 (1) (im) of the statutes is repealed.

22 ***-2174/P1.39*SECTION 135.** 20.865 (1) (j) of the statutes is amended to read:

23 20.865 (1) (j) *Employer fringe benefit costs; program revenues.* From the
24 appropriate program revenue and program revenue-service accounts, a sum
25 sufficient to supplement the appropriations to state agencies to pay the cost of state

1 employer contributions for state employee fringe benefits under chs. 40 and 108 and
2 s. 66.191, 1981 stats., and s. 303.21 as determined under s. 20.928, but not including
3 the board of regents of the University of Wisconsin System or the University of
4 Wisconsin-Madison.

5 ***-2174/P1.40*SECTION 136.** 20.865 (1) (s) of the statutes is amended to read:

6 20.865 (1) (s) *Compensation and related adjustments; segregated revenues.*

7 From the appropriate segregated funds, a sum sufficient to supplement the
8 appropriations to state agencies for the cost of compensation and related
9 adjustments approved by the legislature under s. 111.92 for represented employees
10 and by the joint committee on employment relations under s. 230.12 and the
11 legislature, when required for nonrepresented employees in the classified service
12 and comparable adjustments for nonrepresented employees in the unclassified
13 service, except those nonrepresented employees specified in ss. 20.923 (4g), (5) and
14 (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified
15 employees under s. 20.923 (2) need not be paid comparable adjustments.

16 ***-2174/P1.41*SECTION 137.** 20.865 (1) (si) of the statutes is repealed.

17 ***-2174/P1.42*SECTION 138.** 20.865 (1) (sm) of the statutes is repealed.

18 ***-2174/P1.43*SECTION 139.** 20.865 (1) (t) of the statutes is amended to read:

19 20.865 (1) (t) *Employer fringe benefit costs; segregated revenues.* From the
20 appropriate segregated funds, a sum sufficient to supplement the appropriations to
21 state agencies to pay the cost of state employer contributions for state employee
22 fringe benefits under chs. 40 and 108 and s. 66.191, 1981 stats., and s. 303.21 as
23 determined under s. 20.928, but not including the board of regents of the University
24 of Wisconsin System or the University of Wisconsin-Madison.

25 ***-2202/P1.81*SECTION 140.** 20.866 (1) (u) of the statutes is amended to read:

1 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
2 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b), (br), (s), and (tb),
3 20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c)
4 and (e), 20.255 (1) (d), 20.285 (1) (d), ~~(db), (im), (in), (je), (jq), (kd), (km), and (ko)~~ and
5 ~~(5) (i)~~ and (xs), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar),
6 (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs), (ct), (ea), (eq), and (er), 20.395
7 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee),
8 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (4) (es), (et), (ha), and
9 (hb) and (5) (c), (g), and (kc), 20.855 (8) (a), and 20.867 (1) (a) and (b) and (3) (a), (b),
10 (bb), (bc), (bd), (be), (bf), (bg), (bh), (bi), (bm), (bn), (bp), (bq), (br), (bu), (bv), (g), (h),
11 (i), (kd), and (q) for the payment of principal, interest, premium due, if any, and
12 payment due, if any, under an agreement or ancillary arrangement entered into
13 under s. 18.06 (8) (a) relating to any public debt contracted under subchs. I and IV
14 of ch. 18.

15 ***-2202/P1.82*SECTION 141.** 20.867 (3) (c) of the statutes is repealed.

 ****NOTE: Section 20.867 (3) (c) is a sum sufficient appropriation to guarantee full
 payment of lease rental payments on self-amortizing facilities enumerated in s. 20.285
 (1) (ke), if the moneys available under s. 20.285 (1) (ke) are not sufficient for full payment.
 Section 20.285 (1) (ke) is repealed.

16 ***-2202/P1.83*SECTION 142.** 20.867 (3) (h) of the statutes is amended to read:

17 20.867 (3) (h) *Principal repayment, interest, and rebates.* A sum sufficient to
18 guarantee full payment of principal and interest costs for self-amortizing or
19 partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (1) (j),
20 20.285 (1) ~~(im), (je), (jq), (kd), (km), and (ko)~~, 20.370 (7) (eq), 20.485 (1) (go), and
21 20.867 (3) (kd) if moneys available in those appropriations are insufficient to make
22 full payment, to make full payment of the amounts determined by the building
23 commission under s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245

(1) (j), 20.285 (1) (~~im~~), (je), (~~jq~~), (~~kd~~), (~~km~~), or (~~ko~~), 20.485 (1) (g), or 20.867 (3) (kd) is insufficient to make full payment of those amounts, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including the making of transfers from program revenue appropriations and corresponding appropriations from program receipts in segregated funds and including actions to enforce contractual obligations that will result in additional program revenue for the state, to ensure recovery of the amounts advanced.

***-2202/P1.84*SECTION 143.** 20.867 (3) (k) of the statutes is amended to read:

20.867 (3) (k) *Interest rebates on obligation proceeds; program revenues.* All moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1) (j), 20.245 (1) (j), ~~20.285 (1) (kd)~~, 20.410 (1) (ko) and 20.505 (5) (g) and (kc) to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations specified in those paragraphs.

***-2174/P1.44*SECTION 144.** 20.916 (10) of the statutes is created to read:

20.916 (10) **APPLICABILITY.** This section shall not apply to officers or employees of the board of regents of the University of Wisconsin System.

***-2174/P1.45*SECTION 145.** 20.923 (4g) of the statutes is repealed.

***-2174/P1.46*SECTION 146.** 20.923 (5) of the statutes is repealed.

***-2174/P1.47*SECTION 147.** 20.923 (6) (Lm) of the statutes is created to read:

20.923 (6) (Lm) University of Wisconsin-Madison, chancellor: all positions assigned to the University of Wisconsin-Madison.

1 ***-2174/P1.48*SECTION 148.** 20.923 (6) (m) of the statutes is amended to read:

2 20.923 (6) (m) University of Wisconsin System: ~~deans, principals, professors,~~
3 ~~instructors, research assistants, librarians and other teachers, as defined in s. 40.02~~
4 ~~(55), the staff of the environmental education board, and instructional staff~~
5 ~~employed by the board of regents of the University of Wisconsin System who provide~~
6 ~~services for a charter school established by contract under s. 118.40 (2r) (cm) all~~
7 ~~positions, other than positions assigned to the University of Wisconsin-Madison.~~

8 ***-2174/P1.49*SECTION 149.** 20.923 (14) (b) of the statutes is repealed.

9 ***-2174/P1.50*SECTION 150.** 20.923 (15) (b) of the statutes is amended to read:

10 20.923 (15) (b) Except for the positions identified in subs. (4g), (5), and sub. (7)
11 (b), the pay of any incumbent whose salary is subject to a limitation under this
12 section may not equal or exceed that amount paid the governor.

13 ***-2174/P1.51*SECTION 151.** 20.923 (16) of the statutes is amended to read:

14 20.923 (16) OVERTIME AND COMPENSATORY TIME EXCLUSION. The salary paid to
15 any person whose position is included under subs. (2), (4), ~~(4g), (5),~~ (7), and (8) to (12)
16 is deemed to compensate that person for all work hours. No overtime compensation
17 may be paid, and no compensatory time under s. 103.025 may be provided, to any
18 such person for hours worked in any workweek in excess of the standard basis of
19 employment as specified in s. 230.35 (5) (a).

20 ***-2174/P1.52*SECTION 152.** 20.928 (1) of the statutes is amended to read:

21 20.928 (1) Each state agency head, other than the board of regents of the
22 University of Wisconsin System. shall certify to the department of administration,
23 at such time and in such manner as the secretary of administration prescribes, the
24 sum of money needed by the state agency from the appropriations under s. 20.865
25 (1) (c), ~~(ei), (em), (ej),~~ (d), (i), ~~(ie), (im),~~ (j), (s), ~~(si), (sm),~~ and (t). Upon receipt of the

1 certifications together with such additional information as the secretary of
2 administration prescribes, the secretary shall determine the amounts required from
3 the respective appropriations to supplement state agency budgets.

4 ***-2174/P1.53*SECTION 153.** 20.928 (1m) of the statutes is repealed.

5 ***-2174/P1.54*SECTION 154.** 20.928 (4) of the statutes is repealed.

6 ***-2202/P1.85*SECTION 155.** 25.40 (1) (a) 4. of the statutes is amended to read:

7 25.40 (1) (a) 4. Moneys received paid to the board of regents of the University
8 of Wisconsin system under s. 341.14 (6r) (b) 4. ~~that are deposited in the general fund~~
9 ~~and credited to the appropriation under s. 20.285 (1) (jp).~~

10 ***-2202/P1.86*SECTION 156.** 25.77 (8) of the statutes is repealed.

****NOTE: See the NOTE following the repeal of s. 20.285 (1) (iz).

11 ***-2194/P3.2*SECTION 157.** 25.86 of the statutes is created to read:

12 **25.86 University of Wisconsin System fund. (1)** In this section:

13 (a) "College campus" has the meaning given in s. 36.05 (6m).

14 (b) "Extension" has the meaning given in s. 36.05 (7).

15 (c) "Institution" has the meaning given in s. 36.05 (9).

16 **(2)** There is established a separate nonlapsible trust fund designated as the
17 University of Wisconsin System trust fund, consisting of all moneys received by the
18 University of Wisconsin System other than moneys appropriated to the Board of
19 Regents of the University of Wisconsin System under s. 20.285.

20 **(3)** The Board of Regents shall maintain within the fund a separate account for
21 the moneys deposited in the fund by or on behalf of each institution and college
22 campus within the system and the extension, including an account for segregated
23 fees, and ensure that the moneys in each account, including interest accrued in that
24 account, are allocated to that institution or college campus or the extension.

1 ***-2202/P1.87*SECTION 158.** 29.598 (2) of the statutes is amended to read:

2 29.598 (2) MATCH. No moneys may be ~~transferred~~ paid from the appropriation
3 account under s. 20.370 (1) (mu) ~~to pay~~ for the costs associated with the agreement
4 under sub. (1), unless the organization described in sub. (1) demonstrates that it has
5 contributed an equal amount to pay for those costs. The matching contribution may
6 be in the form of money or in-kind goods or services.

7 ***-2174/P1.55*SECTION 159.** 36.09 (1) (e) of the statutes is amended to read:

8 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
9 each institution; a dean for each college campus; the state geologist; the director of
10 the laboratory of hygiene; the director of the psychiatric institute; the state
11 cartographer; and the requisite number of officers, other than the vice presidents,
12 associate vice presidents, and assistant vice presidents of the system; faculty;
13 academic staff; and other employees and fix the salaries, ~~subject to the limitations~~
14 ~~under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e)~~, the duties and the term of office
15 for each. The board shall fix the salaries, ~~subject to the limitations under par. (j) and~~
16 ~~ss. 20.923 (4g) and 230.12 (3) (e)~~, and the duties for each chancellor, vice president,
17 associate vice president, and assistant vice president of the system. No sectarian or
18 partisan tests or any tests based upon race, religion, national origin, or sex shall ever
19 be allowed or exercised in the appointment of the employees of the system.

20 ***-2193/P3.2*SECTION 160.** 36.09 (1) (i) of the statutes is repealed.

21 ***-2174/P1.56*SECTION 161.** 36.09 (1) (j) of the statutes is amended to read:

22 36.09 (1) (j) Except where such matters are a subject of bargaining with a
23 certified representative of a collective bargaining unit under s. 111.91 or 111.998, the
24 board shall establish salaries for persons ~~not in the classified staff~~ prior to July 1 of
25 each year for the next fiscal year, and shall designate the effective dates for payment

1 of the new salaries. In the first year of the biennium, payments of the salaries
2 established for the preceding year shall be continued until the biennial budget bill
3 is enacted. If the budget is enacted after July 1, payments shall be made following
4 enactment of the budget to satisfy the obligations incurred on the effective dates, as
5 designated by the board, for the new salaries, subject only to the appropriation of
6 funds by the legislature ~~and s. 20.928 (3).~~ This paragraph does not limit the
7 authority of the board to establish salaries for new appointments. ~~The board may~~
8 ~~not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and~~
9 ~~230.08 (2) (d) under this paragraph unless the salary increase conforms to the~~
10 ~~proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary~~
11 ~~increase to correct salary inequities under par. (h), to fund job reclassifications or~~
12 ~~promotions, or to recognize competitive factors. The board may not increase the~~
13 ~~salary of any position identified in s. 20.923 (4g) under this paragraph unless the~~
14 ~~salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the~~
15 ~~board authorizes the salary increase to correct a salary inequity or to recognize~~
16 ~~competitive factors. The board may not increase the salary of any position identified~~
17 ~~in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the~~
18 ~~appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless~~
19 ~~the increase is approved by the office of state employment relations. The granting~~
20 of salary increases to recognize competitive factors does not obligate inclusion of the
21 annualized amount of the increases in the appropriations under s. 20.285 (1) for
22 subsequent fiscal bienniums. No later than October 1 of each year, the board shall
23 report to the joint committee on finance and the secretary of administration and
24 director of the office of state employment relations concerning the amounts of any

1 salary increases granted to recognize competitive factors, and the institutions at
2 which they are granted, for the 12-month period ending on the preceding June 30.

3 ***-2193/P3.3*SECTION 162.** 36.09 (1) (k) of the statutes is repealed.

4 ***-2202/P1.88*SECTION 163.** 36.11 (8) (b) of the statutes is amended to read:

5 36.11 (8) (b) The board shall establish fines for the violation of any rule made
6 under par. (a). The institutions are authorized to collect such fines together with
7 moneys collected from the sale of parking permits and other fees established under
8 par. (a) ~~and such moneys shall be paid into the state treasury and credited to s. 20.285~~
9 ~~(1) (h)~~, to be used only for the purpose of developing and operating parking or other
10 transportation facilities at the institution at which collected and for enforcing
11 parking rules under par. (a).

***NOTE: Is it okay to maintain the limitation that moneys may only be used at the
institution at which the moneys are collected? Or should the limitation be eliminated for
the sake of flexibility?

12 ***-2202/P1.89*SECTION 164.** 36.11 (11) of the statutes is amended to read:

13 36.11 (11) ~~SURPLUS MONEY~~ INVESTMENTS. The board may invest ~~any of the~~
14 ~~surplus money designated in s. 20.285 (1) (h)~~ in such securities as are legal for trust
15 fund investments; or invest ~~such funds or any part thereof~~, in the senior or junior
16 bonds or obligations which may be issued by such nonprofit-sharing corporation as
17 may be contracted with by the board for the construction or equipment of
18 dormitories, commons or field houses, which bonds or obligations shall be secured by
19 a mortgage or pledge of the buildings or improvements erected or to be erected by
20 such corporations and by a mortgage or pledge of its leasehold interest. Any interest
21 on any of such bonds or securities shall when received be added to the revolving funds
22 and may be used for the purposes set forth in this subsection.

****NOTE: Is the above okay or should s. 36.11 (11) be repealed? If it isn't repealed, is it okay to refer to "revolving funds" in the last sentence, or does that reference no longer make sense based on the repeal of s. 20.285 (1) (h)?

1 ***-2202/P1.90*SECTION 165.** 36.11 (29m) of the statutes is repealed.

2 ***-2193/P3.4*SECTION 166.** 36.11 (49) (title) of the statutes is repealed.

3 ***-2193/P3.5*SECTION 167.** 36.11 (49) of the statutes is renumbered 36.585 (2)

4 and amended to read:

5 36.585 (2) The board may use telecommunications services, ~~including data and~~
6 ~~voice over Internet services~~, procured by the board only for the purpose of carrying
7 out its mission. The board shall not offer, resell, or provide telecommunications
8 services, ~~including data and voice over Internet services~~ directly or indirectly, that
9 are available from a private telecommunications carrier to the general public or to
10 any other public or private entity.

11 ***-2191/2.15*SECTION 168.** 36.11 (53) and (53m) of the statutes are created to
12 read:

13 36.11 (53) BIDDING PROCEDURES; BUILDING PROJECTS. The board shall prescribe,
14 by rule, bidding procedures to be used by the system for building projects that are
15 exempted from compliance with s. 16.855 (1) to (10), (13), and (14). Prior to the
16 promulgation of any such rule or amendment thereto, the board shall submit a copy
17 of the proposed rule or amendment thereto in final form to the department of
18 administration, for transmittal to the building commission, and to the
19 cochairpersons of the joint committee on finance. If neither the department nor the
20 cochairpersons of the committee notify the board that the building commission or the
21 joint committee on finance has scheduled a meeting for the purpose of reviewing the
22 proposed rule or amendment thereto within 14 working days after the date of the
23 board's submittal to the department and the cochairpersons, respectively, the board

1 may promulgate the proposed rule or amendment thereto if otherwise authorized to
2 do so. If, within 14 working days after the date of the board's submittal, the
3 department or the cochairpersons notify the board that the building commission or
4 the joint committee on finance has scheduled a meeting for the purpose of reviewing
5 the proposed rule or amendment thereto, the board shall not promulgate the
6 proposed rule without the approval of the body that scheduled the meeting.

7 **(53m)** DESIGNATION OF BUILDING PROJECTS. The board shall not designate any
8 part of a state building project that is subject to approval under s. 13.48 (10) (a) as
9 a separate building project.

10 ***-2193/P3.6*SECTION 169.** 36.11 (56) of the statutes is created to read:

11 36.11 **(56)** TRAVEL POLICIES. Effective July 1, 2013, the board shall establish
12 travel policies for system employees and a schedule for the reimbursement of system
13 employees for travel expenses.

14 ***-2194/P3.3*SECTION 170.** 36.11 (57) of the statutes is created to read:

15 36.11 **(57)** GENERAL PURPOSE REVENUE BLOCK GRANTS. The board shall allocate
16 moneys appropriated to the board under s. 20.285 (1) (a) to the institutions, college
17 campuses, and extension as block grants.

18 ***-2193/P3.7*SECTION 171.** 36.115 of the statutes is created to read:

19 **36.115 Personnel systems; classified service employees.** (1) In this
20 section, "chancellor" means the chancellor of the University of Wisconsin-Madison.

21 (2) The board shall develop a personnel system that is separate and distinct
22 from the personnel system under ch. 230 for all system employees except system
23 employees assigned to the University of Wisconsin-Madison.

1 (3) In consultation with the board, the chancellor shall develop a personnel
2 system that is separate and distinct from the personnel system under ch. 230 for all
3 system employees assigned to the University of Wisconsin-Madison.

4 (4) The personnel systems developed under subs. (2) and (3) shall include a civil
5 service system, a grievance procedure that addresses employee terminations, and
6 provisions that address employee discipline and workplace safety. The grievance
7 procedure shall include all of the following elements:

8 (a) A written document specifying the process that a grievant and an employer
9 must follow.

10 (b) A hearing before an impartial hearing officer.

11 (c) An appeal process in which the highest level of appeal is the board.

12 (5) (a) The personnel systems developed under subs. (2) and (3) shall be
13 implemented on July 1, 2013.

14 (b) The board may not implement the personnel system developed under sub.
15 (2) unless it has been approved by the joint committee on employment relations.

16 (c) The chancellor may not implement the personnel system developed under
17 sub. (3) unless it has been approved by the board and the joint committee on
18 employment relations.

19 (6) All system employees holding positions in the classified or unclassified
20 service of the civil service system under ch. 230 on June 30, 2013, shall be included
21 in the personnel systems developed under subs. (2) and (3). System employees
22 holding positions in the classified service on June 30, 2013, who have achieved
23 permanent status in class on that date, shall retain, while serving in the positions
24 in the system, those protections afforded employees in the classified service under
25 ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff,

1 or reduction in base pay. Such employees shall also have reinstatement privileges
2 to the classified service as provided under s. 230.31 (1). System employees holding
3 positions in the classified service on June 30, 2013, who have not achieved
4 permanent status in class on that date are eligible to receive the protections,
5 privileges, and rights preserved under this subsection if they successfully complete
6 service equivalent to the probationary period required in the classified service for the
7 positions which they hold on that date.

8 ***-2202/P1.91*SECTION 172.** 36.14 (3) of the statutes is repealed.

9 ***-2193/P3.8*SECTION 173.** 36.15 (2) of the statutes is amended to read:

10 36.15 (2) APPOINTMENTS. Appointments under this section shall be made by the
11 board, or by an appropriate official authorized by the board, under policies and
12 procedures established by the board ~~and subject to s. 36.09 (1) (i).~~ The policies for
13 indefinite appointments shall provide for a probationary period, permanent status
14 and such other conditions of appointment as the board establishes.

15 ***-2202/P1.92*SECTION 174.** 36.25 (3) (c) of the statutes is amended to read:

16 36.25 (3) (c) The board shall, under the supervision of the dean of the College
17 of Agricultural and Life Sciences of the University of Wisconsin-Madison, foster
18 research and experimentation in the control of bovine brucellosis, which is also
19 known as Bang's disease, at various points within this state that the board considers
20 advisable. To facilitate the bovine brucellosis research and experimentation,
21 contracts may be entered into with owners of bovine animals of various classes for
22 the supervised control of the animals and for the purchase of animals under
23 conditions to be specified in contracts that shall be retained for control purposes.
24 ~~Payment under the contracts shall be made out of the appropriation in s. 20.285 (1)~~
25 (a).